

**IN THE UNITED STATES COURT OF APPEALS
FOR THE D.C. CIRCUIT**

Ruby Freeman and Wandrea' Moss,

Plaintiffs-Appellees,

v.

Rudolph W. Giuliani,

Defendant-Appellant.

No. 24-7021

**CONSENT MOTION FOR EXTENSION OF TIME TO FILE
REPLY BRIEF, DEFERRED APPENDIX, AND FINAL BRIEFS**

Pursuant to Federal Rules of Appellate Procedure 26 and 27, and Circuit Rule 28(e), Defendant-Appellant, Rudolph W. Giuliani (“Appellant”), respectfully moves for an extension of time to file his reply brief, deferred appendix, and final briefs. Specifically, Appellant requests that the deadline to file his reply brief and deferred appendix be extended to February 27, 2025, and the deadline for final briefs be extended to February 28, 2025. As set forth more fully below, this request is made based on a settlement agreement executed by the parties. This request, furthermore, is respectfully made without prejudice to requests for further extensions, depending on developments with respect to that settlement agreement. **Plaintiffs-Appellees (“Appellees”) have consented to this request.**

* * *

Appellant submits that good cause exists for the requested extensions based on recent developments in the related, judgment-enforcement proceedings pending in the United States District Court for the Southern District of New York (“SDNY Proceedings”) before the Hon. Lewis J. Liman, U.S.D.J. On January 16, 2025, the parties informed Judge Liman that:

“Plaintiffs and Defendant have executed a settlement agreement [] that, once certain conditions are met, would fully resolve all issues currently scheduled for trial . . . and would result in the conclusion of all litigation currently pending between and among the Parties.”

See Freeman et al. v. Giuliani, No. 24-mc-353 (S.D.N.Y.), ECF 242 (emphasis added).

Based on that agreement, Judge Liman adjourned the trial to March 3, 2025, to permit the parties to implement the settlement’s terms. *See Freeman et al. v. Giuliani*, No. 24-mc-353 (S.D.N.Y.), ECF 242.

The settlement and potential resolution of the dispute between the parties would, of course, include the issues on this appeal. Therefore, it would or may be inefficient and wasteful for counsel to continue to work on the Reply Brief. Accordingly, and because additional time is necessary to allow for the implementation of the terms of the settlement agreement, counsel now requests this extension of time.

Appellees have consented to the requested extensions. If granted, the revised schedule would be as follows:

Appellant's Reply Brief: February 27, 2025

Deferred Appendix: February 27, 2025

Final Briefs: February 28, 2025

This request for an extension is respectfully made without prejudice to further requests to modify the schedule here, based on further developments.

CONCLUSION

For the foregoing reasons, Appellant respectfully requests that the Court grant this motion for an extension of time.

Dated: January 21, 2025
New York, New York

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CERTIFICATE OF COMPLIANCE

I certify that the foregoing motion complies with the typeface and style requirements of Federal Rule of Appellate Procedure 27(d)(1)(E), and the word limit of Federal Rule of Appellate Procedure 27(d)(2)(A), because the motion was prepared in double-spaced, 14-point Times New Roman font, and contains 398 words as determined by the word-count function of Microsoft Word.

/s/ Kenneth A. Caruso

KENNETH A. CARUSO

CERTIFICATE OF SERVICE

I certify that the foregoing motion was served on all parties through the Court's CM/ECF system.

/s/ Kenneth A. Caruso
KENNETH A. CARUSO